



***Town of Tyngsborough***  
***Planning Board***  
25 Bryants Lane,  
Tyngsborough, Massachusetts 01879-1003  
Office: (978) 649-2300 ext. 115

MINUTES  
February 5, 2015  
**APPROVED**

Attachments:

1. Meeting Agenda
2. Application for Zoning By-Law Amendment Review – 1/5/15
3. 4 Cassaway Dr. Conceptual Building Plans – 1/29/15
4. Tyngsborough Funeral Home Plan rendering

Members Present: Steve Nocco, Chairman  
Kimberly O'Brien, Vice Chairman  
Caryn DeCarteret  
Steve O'Neill  
Tom Delmore  
Jesse Johnson, David E. Ross Associates

**7:00pm -** Meeting called to order by Chairman Steve Nocco

**7:03pm** **Citizen's Petition regarding an amendment to the Tyngsborough Zoning Map.** The applicant seeks to change the zoning classification from B1 to B2 a certain parcel of land with improvements thereon, located at 4 Cassaway Drive, Tyngsborough, Massachusetts 01879 and more particularly described in a deed recorded at Book 1082, Page 535 and recorded in the Middlesex North District Registry of Deeds. The property is also identified as Map 20, Block 119, Lot 0 on the Tyngsborough Tax Assessor's Maps. The property contains approximately 0.90 acres of land more or less.

Atty. Peter Nicosia appeared before the Board for the applicants Dan and Roland Martin of Martin Funeral Home. Atty. Nicosia explained that the Martins are seeking to change the zoning classification of this parcel from the current B-1 to a B-2. The structure on the parcel is currently a residential home and was built prior to the business district classifications. A B-1 zoning district enables a variety of different businesses to be operated by-right, except a funeral home, which the Martin family wishes to build on this parcel in place of the home. The lot was part of the re-alignment of Pawtucket Blvd. and now sits on a cul-de-sac known as Cassaway Dr. Although there are other residential dwellings in the vicinity, the area is currently business zoned, with National Carpet directly across the street from this parcel. Therefore, the re-zoning wouldn't be considered spot zoning.

The Board asked how the Martins anticipate traffic to impact the neighborhood. Mr. Martin said that they have experienced traffic attendants that manage the flow of traffic and they have utilized the Police Dept. when necessary. In addition, they plan to work with the area residents to ensure that there are no disruptions or problems. An abutter from 8 Cassaway Dr. was concerned with the potential traffic issues, as well as resident privacy and the impact of the building's lighting on her home. Atty. Nicosia added that the Martin family is dedicated to maintaining a respectable business that can successfully co-exist with the area residents. He went on to say that Town Meeting approval is still required in order to change the zoning.

**S. O'Neill:** Motion to recommend to the Board of Selectmen and Town Meeting to support re-zoning 4 Cassaway Dr. from B-1 to B-2.

**T. Delmore:** 2<sup>nd</sup> the motion

**In Favor: 5 Opposed: 0**

**Passes: 5-0**

### **ADMINISTRATIVE**

The January 15<sup>th</sup> & 26<sup>th</sup>, 2015 minutes were tabled until the next meeting.

**7:30pm**

**S. O'Neill:** Motion to adjourn

**K. O'Brien:** 2<sup>nd</sup> the motion

**In Favor: 5 Opposed: 0**

**Passes: 5-0**

Minutes respectfully submitted by,  
Pamela Berman  
Planning Board Administrative Assistant